IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40693 of 2008
MUKESH YADAV
Versus
STATE OF BIHAR
---

2. 23.10.2008 Heard Sri Kanhaiya Prasad Singh, Senior Advocate for the petitioner and the learned A.P.P. for the State.

The house of the above named petitioner was searched by the police and it recovered a rifle and three live cartridges therefrom which was concealed under the bed which was spread over the Chauki.

The contention is that the seizure list witnesses have sworn affidavits of not witnessing the seizure and nothing being recovered in their presence. There is a presumption of regularity about the official and judicial acts and it is very often found that seizure list witnesses are generally won over by the accused persons of almost all cases of the present type. The police officers do not appear having any ill-will towards the petitioner for falsely implicating the petitioner and as such, the prayer is dismissed.

If the trial of the petitioner is not completed within a year of his remand in the

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case, the court below shall itself release the above named petitioner on bail on execution of an appropriate bond to its own satisfaction in Bakhtiyarpur P.S.Case No.141 of 2008 presently pending before C.J.M. Saharsa.

(Dharnidhar Jha, J.)

B.Kr.

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